



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Stamm et al**

Application No. **10/665,517**

Group Art Unit: **1615**

Filed: **September 22, 2003**

Examiner: **Sheikh**

For: **Fenofibrate Compositions Having High Bioavailability**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

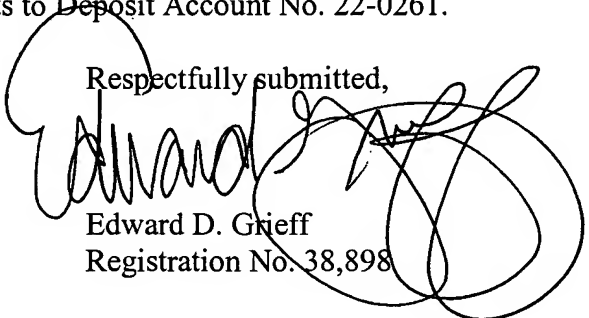
**Response to Restriction Requirement**

In Response to the Restriction Requirement dated July 27, 2006, Applicants elect Group I (Claims 1-7, 9-15, 17-22, 29-33, 35-39, 41-44, 49-51, and 53-55) with traverse.

Claim 1 is generic to Groups I and II as demonstrated by the PTO's inclusion of Claim 1 in each of Groups I and II. Accordingly, Applicants expect that upon finding the claims in Group I allowable, the PTO will then rejoin and reconsider the claims in Groups II pursuant to MPEP 806.04 and 806.04(d).

The Commissioner is authorized to charge the one month extension of time fee of \$120 to Deposit Account No. 22-0261. The Commissioner is authorized to charge any other necessary fees or credit any overpayments to Deposit Account No. 22-0261.

Respectfully submitted,

  
Edward D. Grief  
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Date: September 6, 2006  
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09/07/2006 SDENBOB1 00000163 220261 10665517  
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<b>Effective on 12/08/2004.</b> <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b> <b>FEE TRANSMITTAL</b> <b>For FY 2006</b>		<b>Complete if Known</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/665,517
<b>TOTAL AMOUNT OF PAYMENT</b>		Filing Date	September 22, 2003
<b>(\$)</b> 120		First Named Inventor	Andre Stamm
		Examiner Name	Humera N. Sheikh
		Art Unit	1615
		Attorney Docket No.	31672-224621

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account Deposit Account Number: 22-0261 Deposit Account Name: Venable LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims** - 20 or HP        Extra Claims        Fee (\$)        Fee Paid (\$)         
HP = highest number of total claims paid for, if greater than 20.

**Multiple Dependent Claims**  
Fee (\$)        Fee Paid (\$)       

**Indep. Claims** - 3 or HP =        Extra Claims        Fee (\$)        Fee Paid (\$)         
HP = highest number of total claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets**        **Extra Sheets**        **Number of each additional 50 or fraction thereof**        **Fee (\$)**        **Fee Paid (\$)**         
- 100 =        /50        (round up to a whole number) x        =       

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge):

Request for Extension of Time (1 mo.)        **\$120**

<b>SUBMITTED BY</b>	
Signature <u>[Signature]</u>	Registration No. (Attorney/Agent) <u>38,898</u>
Name (Print/Type) <u>Edward D. Grieff</u>	Telephone <u>(202) 344-4000</u>
	Date <u>September 6, 2006</u>

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete the form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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